

O.A.No.461/2021 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

M.C.A.No.23/2022

None for the applicant. Heard Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned P.O. states that order passed by this Tribunal on 12.04.2022 has been complied and suspension of the applicant is revoked and applicant is reinstated on 16.12.2022.

3. None present for the Original applicant since compliance is made. M.C.A.No.23/2022 is disposed of.

Member (J).

rsm.

O.A.No.692/2020 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri M.I.Khan, Id. P.O. for the respondents. Await service to respondent no.2.

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.175/2021 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. three weeks for filing reply.**

Member (J).

rsm.

O.A.No.645/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri
V.A.Kulkarni, Id. P.O. for the respondents.

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.701/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Adv.S.Ateeb, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks for filing reply.**

Member (J).

rsm.

O.A.No.703/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Adv.S.Ateeb, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks for filing reply.**

Member (J).

rsm.

O.A.No.854/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Reply of respondent no.3 filed by learned P.O. It is taken on record.

2. Learned counsel states that today he has received reply of the respondents. O.A. is **admitted** and kept for final hearing.

3. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.908/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri V.A.Kulkarni, ld. P.O. for the respondents 1 to 3 and none for the respondents 4 and 5.

2. On oral request of ld. P.O., **S.O. four weeks for filing reply.**

Member (J).

rsm.

**O.A.No.945/2022 with O.A.No.1045/2022
(S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri N.D.Thombre, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 1 to 3 and Adv.S.S.Sanyal, ld. counsel for the respondent no.4.

2. Learned P.O. has placed on record communication dated 30.01.2023. Time of two weeks is sought to take decision on representation of the applicant dated 04.10.2022.

3. **S.O. 20.02.2023 for taking decision.**

Member (J).

rsm.

O.A.No.945/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri N.D.Thombre, Id. counsel for the applicant, Shri M.I.Khan, Id. P.O. for the respondents.

2. Learned P.O. has placed on record communication dated 30.01.2023. Time of two weeks is sought to take decision on representation of the applicant dated 04.10.2022.

3. **S.O. 20.02.2023 for taking decision.**

Member (J).

rsm.

O.A.No.1071/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned counsel states that the respondents are served and within one week he will file service affidavit.

3. **S.O. two weeks.**

Member (J).

rsm.

O.A.No.1090/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned counsel states that the respondents are served and today he will file service affidavit.
3. Learned P.O. seeks time of four weeks.
4. **S.O. four weeks for filing reply.**

Member (J).

rsm.

O.A.No.1104/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 1 and 2 and none for the respondent no.3.

2. On oral request of ld. P.O., **S.O. 21.02.2023** for filing reply as last chance.

Member (J).

rsm.

O.A.No.1111/2022 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/02/2023.

C.A.No.58/2023

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. By the proposed amendment subsequent developments are sought to be brought on record. Considering the nature of proposed amendment C.A. is allowed. Amendment shall be carried out within two weeks from today. Copy of amended O.A. shall be supplied to the respondents.

3. **S.O. two weeks.**

Member (J).

rsm.

O.A.No.1115/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. three weeks for filing reply.**

Member (J).

rsm.

O.A.No.1127/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri S.S.Shingane, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. three weeks for filing reply.**

Member (J).

rsm.

O.A.No.1225/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri A.P.Tathod, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks for filing reply as a last chance.**

Member (J).

rsm.

O.A.No.09/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri
S.A.Sainis, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. two weeks
for filing reply.**

Member (J).

rsm.

O.A.No.12/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri S.A.Marathe, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the State. Await service to respondents 2 to 4.

2. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.59/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

C.A.No.30 & 31/2023

Heard Adv.S.S.Sanyal, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. Learned P.O. seeks time to file reply on C.A.No.30 & 31/2023.
3. **S.O. two weeks for filing reply.**

Member (J).

rsm.

O.A.No.62/2023 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned P.O. has placed on record communication dated 02.02.2003. It is submitted that Rule 4(1) of the M.C.S. (Discipline and Appeal) Rules, 1979 has been complied with.

3. It is the contention of the learned counsel for the applicant that the Rule mandates that the communication shall be made at once to the concerned authority.

4. Learned P.O. seeks time of one week to file reply.

5. **S.O. one week for filing reply.**

Member (J).

rsm.

O.A.No.79/2023 (S.B.)

Coram: Hon'ble Shri M.A.Lovekar,
Member (J)

Dated : 06/02/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri S.A.Sainis, ld. P.O. for the respondents.

2. Learned counsel seeks permission to delete respondent no.4 from array of the respondents. Permission is granted. The deletion shall be carried out today itself.

3. The applicant has placed on record copy of details which show that Writ Petition No.3642/2021 is pending in the Hon'ble Bombay High Court. By relying on the interim order passed in the said Writ Petition this tribunal has granted interim relief in O.A.No.1059/2022, 1257/2022 and 1258/2022. Copies of these orders are also placed on record. Hence, the order.

ORDER

1. The respondents are directed not to take any coercive action in regard to grant of one step promotional pay. They are further directed to continue/restore

benefit of one step promotional pay scale to the applicant for working in naxal and tribal affected area as per G.R. dated 06.08.2002. This interim order shall subsist to stay filing of reply till next date.

2. **S.O. two weeks.**

3. **Steno copy is granted.**

Member (I).

rsm.

O.A.No.1239/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Adv.S.V.Kolhe, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. On oral request of ld. P.O., **S.O. 17.02.2022 for filing reply.**

Member (J).

rsm.

O.A.No.1223/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri
M.I.Khan, Id. P.O. for the respondents.

2. Learned P.O. seeks time to file reply.
3. **S.O. two weeks.**

Member (J).

rsm.

**O.A.No.44/2023 with O.A.No.45/2023 with
O.A.No.46/2023 with O.A.No.47/2023 with
O.A.No.48/2023 (S.B.)**

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri R.V.Shiralkar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Learned counsel for the applicant seeks time to file rejoinder. O.A. is **admitted** and kept for final hearing.

3. **S.O. after three weeks.**

4. Interim order to continue.

Member (J).

rsm.

O.A.No.74/2017 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri G.G.Bade, ld. counsel for the applicant and Shri H.K.Pande, ld. P.O. for the respondents.

2. **Closed for orders.**

Member (J).

rsm.

O.A.No.896/2019 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri S.N.Gaikwad, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. **Closed for orders.**

Member (J).

rsm.

O.A.No.505/2021 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri K.J.Khanorkar, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. Learned P.O. states that this O.A. is substantially heard by my learned brother Justice M.G.Giratkar.

3. **S.O. 23.02.2023.**

Member (J).

rsm.

O.A.No.721/2021 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri I.S.Wankhede, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. **S.O. 23.02.2023.**

Member (J).

rsm.

O.A.No.962/2020 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri P.M.Anjekar, ld. counsel for the applicant, Shri M.I.Khan, ld. P.O. for the respondents 1 and 2 and Shri T.N.Thombre, ld. counsel for the respondents 3 to 5.

2. On oral request of ld. P.O., **S.O. three weeks for filing reply.**

Member (J).

rsm.

O.A.No.192/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri M.I.Khan, ld. P.O. for the respondents 1 to 4 and none for the respondent no.5.

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.433/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri S.P.Palshikar, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Reply of respondents 1 to 3 filed by learned P.O. It is taken on record.

3. Learned counsel seeks time to go through reply.

4. **S.O. 13.02.2023.**

Member (J).

rsm.

O.A.No.869/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.878/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri A.P.Sadavarte, ld. counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. Reply of respondent no.3 filed by learned P.O. It is taken on record.

3. **S.O. three weeks.**

Member (J).

rsm.

O.A.No.1011/20 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri N.R.Saboo, ld. counsel for the applicant and Shri V.A.Kulkarni, ld. P.O. for the respondents.

2. **S.O. 13.02.2023.**
3. **Interim relief to continue.**

Member (J).

rsm.

O.A.No.1116/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

None for the applicant. Heard Shri
M.I.Khan, Id. P.O. for the respondents.

2. **S.O. four weeks.**

Member (J).

rsm.

O.A.No.321/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri I.Patil, ld. counsel for the applicant. Heard Shri M.I.Khan, ld. P.O. for the respondents and Shri D.M.Kakani, ld. counsel for the respondents 5 and 6.

2. Interim relief to continue.

3. **S.O. 03.03.2023.**

Member (J).

rsm.

O.A.No.322/2022 (S.B.)

**Coram: Hon'ble Shri M.A.Lovekar,
Member (J)**

Dated : 06/02/2023.

Heard Shri I.Patil, ld. counsel for the applicant. Heard Shri M.I.Khan, ld. P.O. for the respondents.

2. **S.O. 03.03.2023.**

Member (J).

rsm.

C.A.464/22inRev.St.2461/22inO.A.197/18(D.B

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

Heard Shri S.N.Gaikwad, Id. Counsel for the applicant and Shri A.M.Khadatkar, Id. P.O. for the respondents.

2. Ld. Counsel for the applicant has filed C.A. No. 464/2022 for delay of three months, **delay is condoned. Hence, C.A. No. 464/2022 is allowed and disposed of.**

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.No.113/2015 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

Heard Shri P.S.Sahare, ld. Counsel for the applicant, Shri H.K.Pande, ld. P.O. for the respondents and Shri S.N.Gaikwad, ld. Counsel for the respondents 5 to 7. None for the R-4.

2. Ld. Counsel for the applicant has filed pursis dated 13.06.2022 and stated that as per instructions received from applicants 1 & 3, applicant no. 2 i.e. Deepak S. Meshram expired. In view of this, he desires to delete the name of the applicant no. 2. He is permitted to do so forthwith.

3. **Closed for orders.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.Nos.191&192/2020 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

None for the applicant. Shri H.K.Pande, Id.
P.O. for the respondents.

2. **S.O. six weeks.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.No.338/2020withC.A.No.311/2021(D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

Heard Shri D.M.Wankhede, applicant in person and Shri A.M.Ghogre, ld. P.O. for the respondents.

2. Applicant in person has filed written notes of arguments and supplied the copy to the ld. P.O..

3. **Closed for orders.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.No.239/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

Heard Shri S.P.Palshikar, ld. Counsel for the applicant and Shri M.I.Khan, ld. P.O. for the respondents.

2. By consent of both the counsels, **S.O. 17.02.2023.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.No.838/2021 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

Heard Smt. S.W.Deshpande, Id. Counsel for the applicant, Shri H.K.Pande, Id. P.O. for the respondents and Ms. A.A.Pande, Id. Counsel for the R-5 to 10.

2. Ld. Counsel for the applicant is relying on certain paper which is not before the Bench. Ld. Counsel for the applicant is requested to ascertain the same and do proper paging.

3. **S.O. 09.02.2023 before the same bench.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A.No.113/2023 (D.B.)

**Coram : Shri Shree Bhagwan, Vice Chairman &
Shri M.A.Lovekar, Member (J)**

Dated : 06/02/2023.

None for the applicant. Shri H.K.Pande, Id.
P.O. for the respondents.

2. The O.A. is taken on board by this Bench. The
O.A. be placed before the Bench of which one of us
i.e. M.A.Lovekar, Member (J) is not part.

3. **S.O. 16.02.2023.**

Member(J)
Date:- 06/02/2023.
aps.

Vice Chairman

O.A. 278/2012 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri G.G. Bade, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

At the request of Id. P.O., **S.O.**
14/02/2023.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 680/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri G.G. Bade, learned counsel for the applicants and Shri A.M. Khadatkar, learned P.O. for the respondents.

At the request of Id. P.O., **S.O. four weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 809/2019 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri Bharat Kulkarni, learned counsel for the applicant and Shri H.K. Pande, learned P.O. for the respondents.

The matter pertains to Single Bench. Hence, put up matter before Single Bench.

S.O. one week.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 571/2016 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for applicant. Heard Shri A.P.
Potnis, Id. P.O. for State / respondents.

Await service of R-15 and 16.

S.O. four weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 767/2020 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

Heard Smt. K.N. Saboo, Id. Counsel for
the applicants and Shri A.P. Potnis, Id. P.O. for
the respondents.

At the request of Id. P.O., **S.O. three
weeks** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

C.A. 168/2021 in O.A. 891/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri M.R. Khan, Id. Counsel for the applicant and Shri V.A. Kulkarni, Id. P.O. for the respondents.

2. The learned P.O. to get instructions from the respondents about progress of inquiry.

S.O. after three weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 974/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for the applicant. Heard Shri A.P. Potnis, Id. P.O. for the respondents.

The learned P.O. files reply of R-2. It is taken on record. The Id. P.O. submits that reply of R-2 is sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. in due course.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 979/2020 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for applicant. Heard Shri A.M. Khadatkar, Id. P.O. for the respondents.

2. It is submitted that Shri S. Borkar, learned counsel is no more.

3. Hence, issue notice to the applicant returnable **in four weeks.**

S.O. four weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 526/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for the applicant. Heard Shri A.M.
Khadatkar, Id. P.O. for the respondents.

S.O. four weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 448/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri R.M. Fating, learned counsel holding for Shri S.N. Gaikwad, learned counsel for the applicant and Shri A.M. Khadatkar, Id. P.O. for the respondents.

The learned P.O. files reply of R-1 to 3. It is taken on record. Copy is given to the applicant. The Id. P.O. submits that reply of R-1 to 3 is sufficient to decide the matter.

The matter is admitted and kept for final hearing. The Id. P.O. waives notice for the respondents.

S.O. 20/02/2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 1026/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

Heard Shri B. Kulkarni, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the respondents.

At the request of learned P.O., **S.O. two weeks** for filing reply as a last chance.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 1051/2022 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

Heard Shri P.A. Gode, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for respondent nos.1 to 3. None for other respondents.

At the request of learned P.O., **S.O. one week** for filing reply.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 43/2014 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

None for the applicant. Heard Shri A.M.
Ghogre, Id. P.O. for the respondents.

S.O. four weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 63/2015 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for the applicant. Heard Shri A.P. Potnis, learned P.O. for the respondents.

2. It appears that the matter was listed on last three occasions, i.e., on 7/6/2016, 14/6/2016 and 11/7/2016, but the applicant and her Advocate G.I. Dipwani were absent. Today also none appeared for the applicant. The matter is of the year 2015.

3. In view of above, to afford one more opportunity the matter be kept on 14/02/2023 for hearing / order.

4. The applicant / counsel shall remain present on the next date. If the applicant or her counsel not appeared on the next date, the matter will be disposed off.

S.O. 14/02/2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 91/2019 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

None for the applicant. Heard Shri A.P.
Potnis, Id. P.O. for the respondents.

S.O. after three weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 1074/2019 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

None for the applicant. Heard Shri V.A.
Kulkarni, Id. P.O. for the respondents.

S.O. after three weeks.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice-Chairman

dnk.

O.A. 523/2021 with C.As. 293 & 294/2021(D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

Heard Shri R.V. Shiralkar, learned counsel for the applicant, Shri A.M. Ghogre, learned P.O. for State / respondent and Shri S.P. Palshikar, learned counsel for respondent nos. 15 to 20 (Intervener). None for other private respondents.

At the request of P.O., **S.O. 20/02/2023.**

Put up along with connected matters.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 524/2021 (D.B.)

Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.

Dated : 06/02/2023.

None for the applicant. Heard Shri A.M.
Ghogle, learned P.O. for the respondents.

At the request of P.O., **S.O. 20/02/2023.**

Put up along with connected matters.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

O.A. 525/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for the applicant. Heard Shri A.M. Ghogre, learned P.O. for State / respondent and Shri R.M. Fating, learned counsel for respondent nos. 6 to 8 & 12 & 13. None for other private respondents.

At the request of P.O., **S.O. 20/02/2023.**

Put up along with connected matters.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.As. 706/2022 & 642/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

None for the applicants. Heard Shri A.M.
Ghogle, learned P.O. for the respondents.

S.O. four weeks.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

O.A. 918/2021 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard the applicant in person, Shri S.A. Deo, Id. CPO for R-1 to 4 and Shri A. Naik, learned counsel for R-7 to 9. None for R-5&6.

2. As per the submission of the applicant in person, he will file written notes of argument and for that purpose he seeks time. Time is granted as prayed for.

3. The learned counsel for R-7 to 9 Shri A.Naik also submits that he will file written notes of argument on the next date.

4. The matter is kept on 13/02/2023 for filing written notes of argument. It is made clear that the matter will be heard and decided finally on the next date.

S.O. 13/02/2023.

**(Justice M.G. Giratkar)
Vice-Chairman**

**(Shree Bhagwan)
Vice- Chairman**

dnk.

Cont.Pet. 58/2022 in O.A. 321/2022 (D.B.)

**Coram: Hon'ble Shri Shree Bhagwan,
Vice-Chairman and
Hon'ble Shri Justice M.G. Giratkar,
Vice-Chairman.**

Dated : 06/02/2023.

Heard Shri D.R. Irale Patil, learned counsel for the applicants, Shri A.M. Ghogre, Id. P.O. for R-1 to 4 & 7 and Shri D.M. Kakani, learned counsel for respondent nos.5&7.

2. The present Contempt Petition is filed for not obeying the order dated 21/03/2022 in O.A.No.321/2022. In O.A. No.321/2022, the following order dated 21/03/2022 was passed in para-3, which is reproduced as under -

*“ (3) However, there is no recovery order but the learned counsel for the applicant apprehend that the order dated 08/02/2021 (Pg.No.176) if it is not maintained it will affect the pensionary benefits of the applicant. Hence, **order dated 20/01/2022 (Pg.No.210,A-14) issued by Deputy Superintending Engineer, Goshikurd Irrigation Circle, Bhandara is stayed till filing of reply.**”*

3. In response to the Contempt notice, the respondent no.5 has filed affidavit-in-reply and stated that when they came to know about the

stay order granted by this Tribunal, they have revised the impugned order and recovery is not made. Therefore, there is no any Contempt for not obeying the order of this Tribunal dated 21/03/2022, in O.A.No.321/2022.

4. As per the submission of learned counsel for both the sides, there was no any recovery. In the impugned order of recovery which is challenged in O.A. No.321/2022, the stay was granted. Though the order of recovery was passed before the stay, but when the respondents came to know about the passing of stay order by this Tribunal, they have revised the order and not made any recovery. Therefore, there is no any Contempt. Hence, the Contempt Petition is disposed off.

(Justice M.G. Giratkar)
Vice-Chairman

(Shree Bhagwan)
Vice- Chairman

dnk.

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Vice Chairman.**

Dated : 06/02/2023.

O.A.Nos. 545/2021 and 858/2020 -

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. As per order passed by the Division Bench of this Tribunal on 02/02/2023, in C.P.70/2022 in O.A. 506/2017, C.P. 38/2022 in O.A.102/2020,C.P. 39/2022 in O.A.545/2021, C.P. 40/2022 in O.A.858/2020, C.P. 41/2022 in O.A. 316/2020, C.P.47/2022 in O.A.852/2019, C.P. 52/2022 in O.A.910/2019, C.P. 53/2022 in O.A.867/2019, C.P. 59/2022 in O.A.1005/2019, this Tribunal fixed the matters for hearing on suo motu review of order passed in the present O.As.

3. In these O.As., the order was passed by this Tribunal as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in the case of ***State of Maharashtra versus Uttam N. Vendait*** and direction was given to the respondents to give pensionary benefits to the Mustering Assistants / applicants from the date of their initial appointments as a Mustering Assistant. Thereafter on 07/09/2022, the Hon'ble Supreme Court in the case of ***Shaikh Miya S/o Shaikh Chand Etc. Versus State of Maharashtra in Civil Appeal No.6531-6533/2022***, has directed the State of Maharashtra to give pension and all other benefits as a regular employee to the Mustering Assistant **from 31/03/1997**. As per the

Judgment of Hon'ble Supreme Court, operative portion of the Judgment in O.A.Nos. O.A.Nos. 545/2021 and 858/2020 are hereby reviewed.

4. In the operative part, the operative part of **para (ii)** is modified as under –

“(i) The O.As. are allowed.

(ii) The respondent no.2 is directed to comply the directions of respondent no.1 as per the communication dated 2/12/2016 and give all the service benefits to the applicants **w.e.f. 31/03/1997.**

(iii) The respondents are directed to give difference of salary as well as pensionary benefits to the applicants, as per the rules.

(iv) No order as to costs.”

Vice Chairman

dnk...

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Vice Chairman.**

Dated : 06/02/2023.

O.A.Nos. 506/2017,102/2020 and 316/2020 -

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. As per order passed by the Division Bench of this Tribunal on 02/02/2023, in C.P.70/2022 in O.A. 506/2017, C.P. 38/2022 in O.A.102/2020,C.P. 39/2022 in O.A.545/2021, C.P. 40/2022 in O.A.858/2020, C.P. 41/2022 in O.A. 316/2020, C.P.47/2022 in O.A.852/2019, C.P. 52/2022 in O.A.910/2019, C.P. 53/2022 in O.A.867/2019, C.P. 59/2022 in O.A.1005/2019, this Tribunal fixed the matters for hearing on suo motu review of order passed in the present O.As.

3. In these O.As., the order was passed by this Tribunal as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in the case of ***State of Maharashtra versus Uttam N. Vendait*** and direction was given to the respondents to give pensionary benefits to the Mustering Assistants / applicants from the date of their initial appointments as Mustering Assistant. Thereafter on 07/09/2022, the Hon'ble Supreme Court in the case of ***Shaikh Miya S/o Shaikh Chand Etc. Versus State of Maharashtra in Civil Appeal No.6531-6533/2022***, has directed the State of Maharashtra to give pension and all other benefits as a regular employee to the Mustering Assistants from 31/03/1997. As per the Judgment of Hon'ble

Supreme Court, the operative portion of the Judgment in O.A.Nos. 506/2017,102/2020 and 316/2020 are hereby reviewed.

4. In the operative part, instead of from the date of initial date of appointments as Mustering Assistants, the date 31/03/1997 shall be substituted by deleting the initial date of appointments. The operative part in para (ii) and (iv) is modified as under –

“(i) The O.As. are allowed.

(ii) The applicants in O.A. Nos. 506/2017,102/2020 & 316/2020 shall be treated as permanent employees with effect **from 31/03/1997** in the service as Muster Assistants till the date of their superannuation.

(iii) The respondents shall give all the pensionary benefits, as may be admissible, as per the rules.

(iv) The applicants namely Pramod N. Upase in O.A. 316/2020, Sukhdeo K. Bodi, Dnyaneshwar M. Hulke and Prakash S. Patil in O.A. 102/2020 who are in service shall be treated as permanent employee **from 31/03/1997**. They are entitled for all the service benefits as permanent employee **from 31/03/1997** on the post of Muster Assistant, as per the rules.

(v) No order as to costs.

Vice Chairman

dnk...

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Vice Chairman.**

Dated : 06/02/2023.

O.A.Nos. 852/2019 and 1005/2019 -

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. As per order passed by the Division Bench of this Tribunal on 02/02/2023, in C.P.70/2022 in O.A. 506/2017, C.P. 38/2022 in O.A.102/2020,C.P. 39/2022 in O.A.545/2021, C.P. 40/2022 in O.A.858/2020, C.P. 41/2022 in O.A. 316/2020, C.P.47/2022 in O.A.852/2019, C.P. 52/2022 in O.A.910/2019, C.P. 53/2022 in O.A.867/2019, C.P. 59/2022 in O.A.1005/2019, this Tribunal fixed the matters for hearing on suo motu review of order passed in the present O.As.

3. In these O.As., the order was passed by this Tribunal as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in the case of ***State of Maharashtra versus Uttam N. Vendait*** and direction was given to the respondents to give pensionary benefits to the Mustering Assistants / applicants from the date of their initial appointments as Mustering Assistant. Thereafter on 07/09/2022, the Hon'ble Supreme Court in the case of ***Shaikh Miya S/o Shaikh Chand Etc. Versus State of Maharashtra in Civil Appeal No.6531-6533/2022***, has directed the State of Maharashtra to give pension and all other benefits as a regular employee to the Mustering Assistant **from 31/03/1997**. As per the Judgment of Hon'ble

Supreme Court, the operative portion of the Judgment in O.A.Nos. 852/2019 and 1005/2019 are hereby reviewed.

4. In the operative part, instead of from the date of initial date of appointments as Mustering Assistants, the date 31/03/1997 shall be substituted by deleting the initial date of appointments. The operative part in para (ii) is modified as under –

(i) The O.As. are allowed.

(ii) The respondents are directed to absorb the applicants in regular service with all consequential benefits of permanency and pensionary benefits to the applicants treating them in regular service with effect from **31/03/1997** as a Mustering Assistant.

(iii) No order as to costs.

Vice Chairman

dnk...

(S.B.)

**Coram: Hon'ble Shri Justice M.G. Giratkar,
Vice Chairman.**

Dated : 06/02/2023.

O.A.Nos. 910/2019 and 867/2019 -

Heard Shri N.R. Saboo, learned counsel for the applicants and Shri S.A. Sainis, learned P.O. for the respondents.

2. As per order passed by the Division Bench of this Tribunal on 02/02/2023, in C.P.70/2022 in O.A. 506/2017, C.P. 38/2022 in O.A.102/2020,C.P. 39/2022 in O.A.545/2021, C.P. 40/2022 in O.A.858/2020, C.P. 41/2022 in O.A. 316/2020, C.P.47/2022 in O.A.852/2019, C.P. 52/2022 in O.A.910/2019, C.P. 53/2022 in O.A.867/2019, C.P. 59/2022 in O.A.1005/2019, this Tribunal fixed the matters for hearing on suo motu review of order passed in the present O.As.

3. In these O.As., the order was passed by this Tribunal as per the Judgment of Hon'ble Bombay High Court, Bench at Aurangabad in the case of ***State of Maharashtra versus Uttam N. Vendait*** and direction was given to the respondents to give pensionary benefits to the Mustering Assistants / applicants from the date of their initial appointments as Mustering Assistant. Thereafter on 07/09/2022, the Hon'ble Supreme Court in the case of ***Shaikh Miya S/o Shaikh Chand Etc. Versus State of Maharashtra in Civil Appeal No.6531-6533/2022***, has directed the State of Maharashtra to give pension and all other benefits as a regular employee to the Mustering Assistant **from 31/03/1997**. As per the Judgment of Hon'ble

Supreme Court, the operative portion of the Judgment in O.A.Nos. 910/2019 and 867/2019 are hereby reviewed.

4. In the operative part, instead of from the date of initial date of appointments as Mustering Assistants, the date 31/03/1997 shall be substituted by deleting the initial date of appointments. The operative part in para (iii) and (iv) is modified as under –

“ (i) The O.As. are allowed.

(ii) The applicants are entitled for the benefit of scheme floated by the G.Rs. dated 1/12/1995 & 21/4/1999.

(iii) The respondents are directed to absorb the applicants in regular service **from 31/03/1997**.

(iv) The respondents are directed to grant all service benefit / pensionary benefits to the applicants **from 31/03/1997** as Mustering Assistant.

(v) No order as to costs.”

Vice Chairman

dnk...

*